5-17-01

Dkt. 55672-A-PCT-US/JPW/GJC

Applicants : Gloria C. Li, et al.

U.S. Serial No : 09/750,410 (Continuation Application of

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PCT/US99/14702, International filing date

30 June 1999)

Filed : December 28, 2000

For : USES OF DNA-PK

1185 Avenue Of The Americas New York, New York 10036

March 28, 2001

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

RECEIVED MAY 21 2001 MPE/JCWS

## COMMUNICATION TRANSMITTING VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS UNDER 37 C.F.R. §1.9(f) AND §1.27(d)

A filing fee at the small entity rate of \$449.00 was originally paid in connection with the filing of the above-identified patent application on December 28, 2000 thereby establishing small entity status.

In support of the claim for small entity status, applicants submit herewith, as Exhibit A, a Verified Statement (Declaration) Claiming Small Entity Status under 37 C.F.R. §1.9(f) and §1.27(d) signed by Mr. James S. Quirk, an authorized official of the assignee of record of the subject application, namely, Sloan-Kettering Institute for Cancer Research.

Gloria C. Li, et al. Serial No. 09/750,410 Filed: December 28, 2000 Page 2

As indicated in the Verified Statement (Declaration) Claiming Small Entity Status Under 37 C.F.R. §1.9(f) and §1.27(d) all rights in this application are to a small entity.

No fee is deemed necessary in connection with the filing of this Communication. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents Washington, D.C. 20231.

John P. White

Reg. No. 28,678.

John R. White

Registration No. 28,678 Attorney for Applicants Cooper & Dunham LLP 1185 Avenue of the Americas New York, New York 10036

(212) 278-0400